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March 23, 2026
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 118 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Alipurduar Women P.S. Case No.96 of 2025 dated 04.12.2025 under Sections 351 (2), 75(3), 77, 78 and 79 of the BNS, 2023.

And

In the matter of: *Sri Amartya @Amarta Pathak*
... *petitioner*

Mr. Amales Ray, Sr. Adv.
Mr. Nigam Mittal
Ms. Akshita Chhetri
... for the petitioner

Mr. Nilay Chakraborty, Ld. APP
Mr. Sagnik Sankar Sikdar
... for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had a romantic relationship with the alleged victim. When the relationship turned sour, the present FIR was lodged.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of the alleged victim recorded before the learned Magistrate as also on certain copies of social media posts where the petitioner had used certain expletives and vulgar language against the alleged victim. It is alleged that the

petitioner who is the former boyfriend of the alleged victim, after their break up, started threatening and abusing the said victim.

At this stage, learned counsel for the petitioner undertakes that the petitioner would not publish anything, good or bad, in respect of the alleged victim in the social media and shall not upload any objectionable photograph or other materials in respect of the said alleged victim.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the Investigating Officer once a week till submission of report in final form. The petitioner shall stay outside the jurisdiction of Alipurduar Police Station for a period of four months from

this date except meeting the investigating officer or attending the jurisdictional court and shall not commit similar offences.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)